

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
GREENVILLE DIVISION

ADRIANE SMITH

PLAINTIFF

v.

Cause No. 4:08CV89-MPM-DAS

PLATTE CHEMICAL COMPANY, ET AL.

DEFENDANTS

**REPORT AND RECOMMENDATIONS**

Upon further review of the file and record of this action, a case management conference was held on October 28, 2008, before the undersigned United States Magistrate Judge. The plaintiff appeared without counsel at the conference, and by Order (doc. 16) the plaintiff was directed to notify the Court in writing of her decision to either retain counsel or proceed *pro se* in this action. The plaintiff was warned that her failure to comply with that Order could lead to dismissal of her case for failure to prosecute and for failure to obey an order of the Court. Because the plaintiff has failed to notify the Court of her decision and because no attorney has entered an appearance on her behalf, it appears that she has lost interest in this case. Therefore, it is my recommendation that this case be dismissed for failure to prosecute and for failure to obey an order of the Court pursuant to FED.R.CIV.P. 41(b).

The parties are referred to Local Rule 72.2(D) for the applicable procedure in the event any party desires to file objections to the findings and recommendations herein contained. The parties are warned that any such objections are required to be in writing and must be filed within ten days of this date. Failure to timely file written objections to the proposed findings, conclusions and recommendations contained in this report will bar an aggrieved party, except upon grounds of plain error, from attacking on appeal unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

Respectfully submitted this 16th day of December, 2008.

/s/ David A. Sanders  
UNITED STATES MAGISTRATE JUDGE